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April 4, 2003

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APR - 4 2003

Federal Communications Commission
Office of Secretary

Clay C. Pendarvis, Esq.
Associate Chief
Video Services Division
Media Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W., Room 2-A062
Washington, DC 20554

Re: Docket No. 01-84
Bay City, Michigan

Dear Mr. Pendarvis:

This is in further response to your letter of August 3, 2001 to which reply was filed on September 5, 2001 concerning the question of Canadian concurrence with the proposed Bay City allocation.

Enclosed herewith is a statement with attached figures prepared by the consulting engineer representing the rule making proponents. As *you* arc aware, the proposal when originally submitted lo Canada did nor receive concurrence. As indicated in the enclosed statement, proponcnls, working through a Canadian Consulting Engineering, received an informal approval of the modified proposal contained herein from the appropriate representative of Industrie Canada whereby they would accept the enclosed modified proposal.

A copy of this submission is being delivered to James Ballis, Branch Chief of the Cross Border Negotiations & Treaty Compliance Branch, who has been kept advised at all times of the status of the resolution of this matter.

It is respectfully submitted that there arc no further impediments to favorable action in the above referenced docket.

Respectfully submitted,

Vincent A Pepper

Enclosures

cc(w/encls): Mr. James Ballis
Bruce A. Eisen, Esq.

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LIEBERMAN & WALISKO
CONSULTING TELECOMMUNICATIONS ENGINEERS
701 YEATMAN PARKWAY
SILVER SPRING, **MD** *20902*

ENGINEERING STATEMENT

This engineering Statement is given in support of a response to a letter from the Staff regarding a Petition for Rulemaking (MM Docket No. 01-84) for Bay City Michigan.

The letter asks that Vista respond as to how the assignment of channel 46 at Bay City, Michigan will protect allocated DTV channel **46** in Sarnia, Hanover, and Stratford, Ontario, Canada.

As specified in the Letter of Understanding (LOU) between the United States and Canada, these allocations are Class **A** allocations. **As** such, they are protected to their 39 dBu, F(90,90) contour which in this case is 25 kilometers.

Additionally, the interfering contour can be no greater than 31.8 dBu F(50,10). Where the interfering signal is behind an imaginary receiving antenna, this interfering signal may be as high as 47.8 dBu F(50,10). The LOU does not describe what the ratio should be when the interfering signal is at a right angle (or some other angle other than in line and behind) to the receiving antenna.

Working through a Canadian Consulting Engineer, an informal approval was received from the appropriate representative of Industrie Canada whereby they would accept a directional antenna pattern for Bay City, Michigan which would radiate 4,000 kW in the main lobe and 40 kW in the null toward Sarnia from an antenna whose center of radiation is 759m AMSL and aimed at N 290° E.

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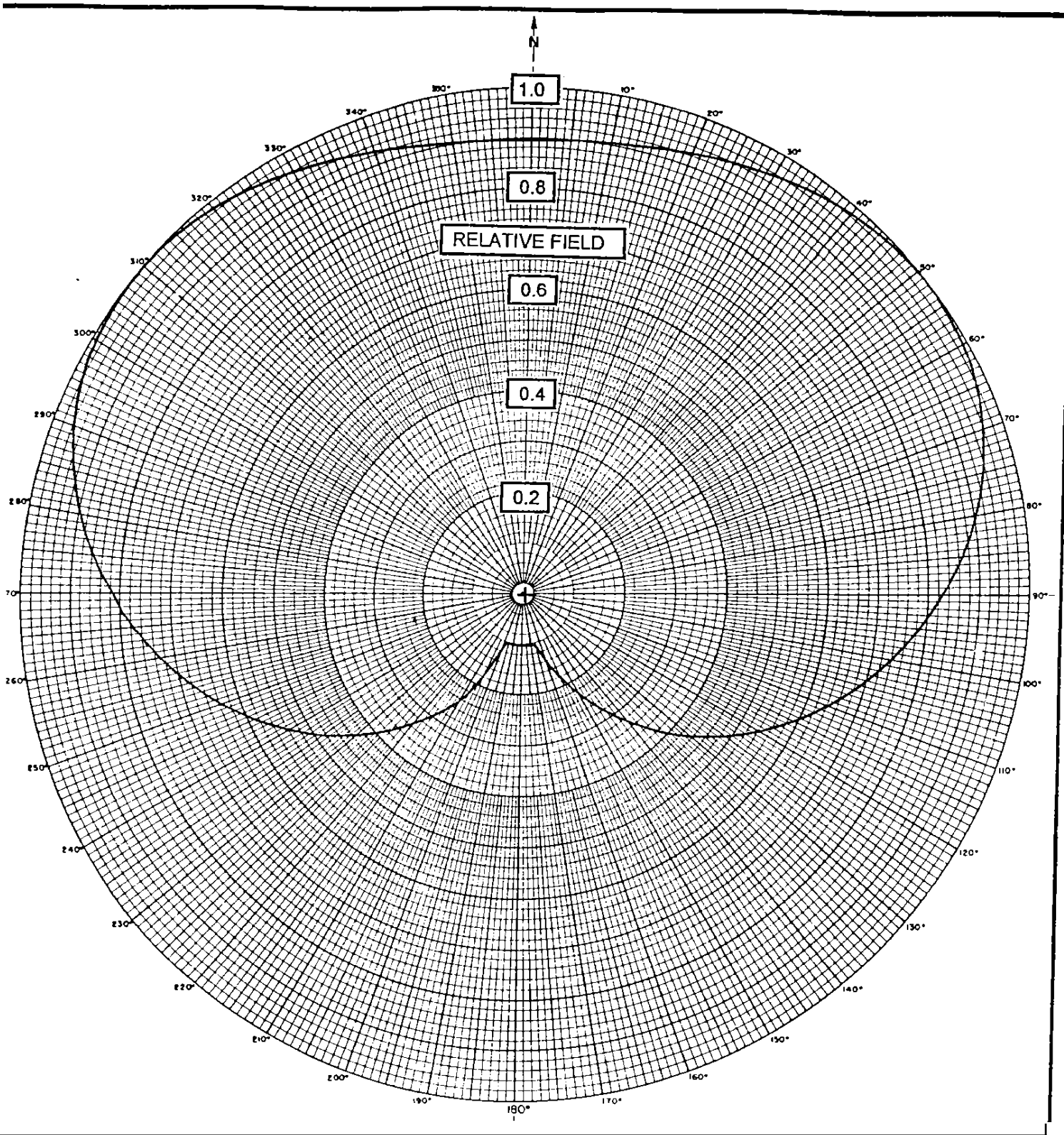
ENGINEERING STATEMENT (Cont'd)

Figure 1 is a polar plot of the proposed antenna and Figure 2 is a tabulation of the radiation values of the instant proposed antenna. This manufacturer has informed us this antenna can be constructed as depicted and is not an idealized pattern. As reflected by Figure 3, the 80 dBu principal city contour encompasses the community of Bay City. All of the aforementioned technical exhibits have been previously furnished to Industrie Canada by the Canadian Consulting Engineer.

This Engineering Statement and associated exhibits was prepared directly by me or under my direct supervision and is given under penalty of perjury.

April 2, 2003
Date

Melvyn Lieberman
Melvyn Lieberman



ORIENTATION OF ANTENNA

N **290" *E***

FIGURE 1

NEW – Bay *City*, **MI**

RELATIVE FIELD PATTERN
HORIZONTAL PLANE

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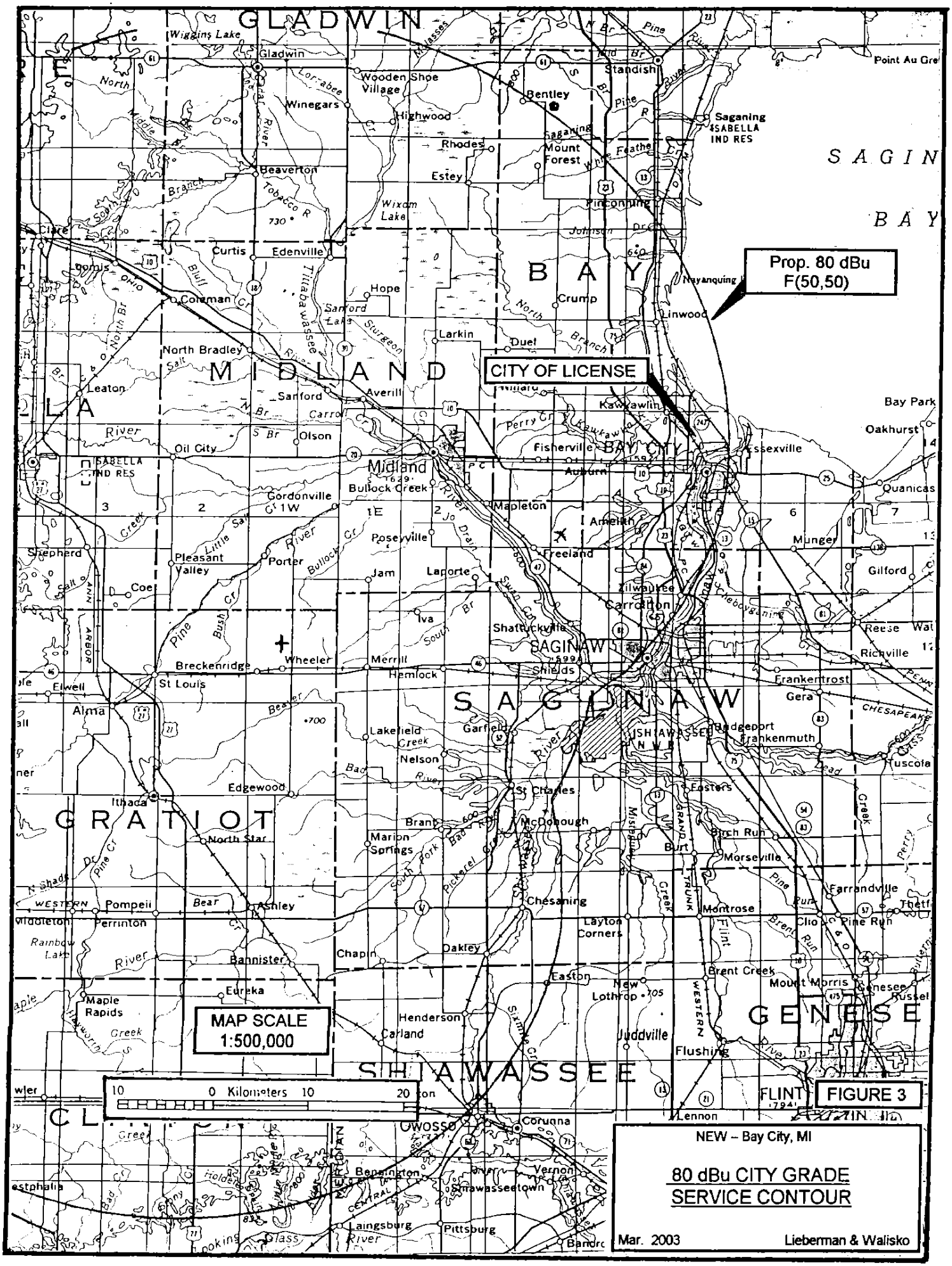
NEW - **Bay City, MI**

FIGURE 2

RELATIVE FIELD VALUES

PSIUSM30MC303-46

0.0,.896	180,0.100
10,0.903	190,0.100
20,0.926	200,0.152
30,0.956	210,0.232
40,0.985	220,0.329
50,1.000	230,0.432
60,0.992	240,0.537
70,0.959	250,0.638
80,0.902	260,0.735
90,0.824	270,0.824
100,0.735	280,0.902
110.0.638	290,0.959
120.0.537	300,0.992
130,0.432	310,1.000
140,0.329	320,0.985
150,0.232	330,0.956
160,0.152	340,0.926
170,0.100	350,0.903


Prop. 80 dBu
F(50,50)
CITY OF LICENSE
MAP SCALE
1:500,000
10 0 Kilometers 10 20
FIGURE 3
NEW – Bay City, MI
80 dBu CITY GRADE
SERVICE CONTOUR
Mar. 2003
Lieberman & Walisko